

<input checked="" type="checkbox"/> FILED	<input type="checkbox"/> LODGED
<input type="checkbox"/> RECEIVED	<input type="checkbox"/> COPY
JUL 16 2024	
CLERK U S DISTRICT COURT DISTRICT OF ARIZONA	
BY <input checked="" type="checkbox"/>	DEPUTY

GARY M. RESTAINO
United States Attorney
District of Arizona

MARIA R. GUTIERREZ
Assistant United States Attorney
Arizona State Bar No. 026659
Two Renaissance Square
40 N. Central Ave., Suite 1800
Phoenix, Arizona 85004
Telephone: 602-514-7500
Email: maria.gutierrez@usdoj.gov
Attorneys for Plaintiff

REDACTED FOR
PUBLIC DISCLOSURE

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

United States of America,

Plaintiff,

vs.

Matthew Edward Dach,

Defendant.

No. CR-24-08073-PCT-MTL (DMF)

INDICTMENT

VIO: 18 U.S.C. §§ 922(g)(1) and
924(a)(8)
(Felon in Possession of a Firearm
and Ammunition)
Count 1

18 U.S.C. §§ 842(a)(3)(B) and
844(a)
(Explosive Materials – Distribution
by Non-Licensee)
Counts 2 and 6

21 U.S.C. §§ 841(a)(1) and
841(b)(1)(C)
(Distribution of Methamphetamine)
Count 3

18 U.S.C. § 924(c)(1)(B)(ii)
(Using and Carrying a Firearm
During and in Relation to a Drug
Trafficking Crime)
Count 4

26 U.S.C. §§ 5841, 5861(d), and
5871
(Possession of an Unregistered
Firearm)
Counts 5 and 7

18 U.S.C. § 924(h)
(Transfer of a Firearm for Use in
a Crime of Violence)
Count 8

18 U.S.C. §§ 924(d) and 981,
21 U.S.C. §§ 853 and 881,
26 U.S.C. § 5872, and
28 U.S.C. § 2461(c)
(Forfeiture Allegation)

THE GRAND JURY CHARGES:

COUNT 1

On or about May 29, 2024, in the District of Arizona, Defendant MATTHEW EDWARD DACH, knowing that he had been convicted of a crime punishable by a term of imprisonment exceeding one year, did knowingly possess a firearm and ammunition, that is a Tapco, model: TAP-15, caliber: 7.62, rifle (serial number: 614738) and 53 rounds of Tula 7.62x39 ammunition, said firearm and ammunition having been shipped and transported in interstate or foreign commerce.

In violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(8).

COUNT 2

On or about May 29, 2024, in the District of Arizona, Defendant MATTHEW EDWARD DACH, not being a licensee or permittee under the provision of Chapter 40 of Title 18 of the United States Code, knowingly distributed explosive materials as defined by Title 18, United States Code, Sections 841(c) and 841(d), that is two homemade explosive devices, to an undercover agent, a person who was not a licensee or permittee under the provisions of Chapter 40 of Title 18 of the United States.

In violation of Title 18, United States Code, Sections 842(a)(3)(B) and 844(a)(1).

COUNT 3

On or about June 20, 2024, in the District of Arizona, Defendant MATTHEW EDWARD DACH did knowingly and intentionally distribute a mixture or substance

1 containing a detectable amount of methamphetamine, its salts, isomers, and salts of its
2 isomers, a Schedule II controlled substance.

3 In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

4 **COUNT 4**

5 On or about June 20, 2024, in the District of Arizona, Defendant MATTHEW
6 EDWARD DACH did knowingly carry and use a firearm as defined by Title 18, United
7 States Code, Section 921(a)(3)(D), that is a destructive device as defined by Title 18,
8 United States Code, Section 921(a)(4), during and in relation to a drug trafficking crime
9 for which he may be prosecuted in a Court of the United States, that is, distribution of
10 methamphetamine, as alleged in Count 3 of the Indictment.

11 In violation of Title 18, United States Code, Section 924(c)(1)(B)(ii).

12 **COUNT 5**

13 On or about June 20, 2024, in the District of Arizona, Defendant MATTHEW
14 EDWARD DACH did knowingly possess a firearm as defined by Title 18, United States
15 Code, Section 5845(a)(8), that is a destructive device as defined by Title 18, United States
16 Code, Section 5845(f), not registered to Defendant MATTHEW EDWARD DACH in the
17 National Firearms Registration and Transfer Record.

18 In violation of Title 26, United States Code, Sections 5841, 5861(d), and 5871.

19 **COUNT 6**

20 On or about June 20, 2024, in the District of Arizona, Defendant MATTHEW
21 EDWARD DACH, not being a licensee or permittee under the provision of Chapter 40 of
22 Title 18 of the United States Code, knowingly distributed explosive materials as defined
23 by Title 18, United States Code, Sections 841(c) and 841(d), that is 20 homemade explosive
24 devices, to an undercover agent, a person who was not a licensee or permittee under the
25 provisions of Chapter 40 of Title 18 of the United States.

26 In violation of Title 18, United States Code, Sections 842(a)(3)(B) and 844(a)(1).

27 **COUNT 7**

28 On or about June 28, 2024, in the District of Arizona, Defendant MATTHEW

1 EDWARD DACH did knowingly possess a firearm as defined by Title 18, United States
2 Code, Section 5845(a)(8), that is a destructive device as defined by Title 18, United States
3 Code, Section 5845(f), not registered to Defendant MATTHEW EDWARD DACH in the
4 National Firearms Registration and Transfer Record.

5 In violation of Title 26, United States Code, Sections 5841, 5861(d), and 5871.

6 **COUNT 8**

7 On or about June 28, 2024, in the District of Arizona, Defendant MATTHEW
8 EDWARD DACH knowingly transferred a firearm as defined by Title 18, United States
9 Code, Section 921(a)(3)(D), that is a destructive device as defined by Title 18, United
10 States Code, Section 921(a)(4), knowing and having reasonable cause to believe that the
11 firearm would be used in a crime of violence, that is, Tampering with a Witness by Physical
12 Force or Threat, in violation of Title 18, United State Code, Section 1512(a)(2)(A).

13 In violation of Title 18, United States Code, Section 924(h).

14 **FORFEITURE ALLEGATION**

15 The Grand Jury realleges and incorporates the allegations of Counts 1 through 8 of
16 this Indictment, which are incorporated by reference as though fully set forth herein.

17 Pursuant to Title 18, United States Code, Sections 924(d) and 981, Title 21, United
18 States Code, Sections 853 and 881, Title 26, United States Code, Section 5872, and Title
19 28, United States Code, Section 2461(c), and upon conviction of the offense alleged in
20 Counts 1 through 8 of this Indictment, the defendant shall forfeit to the United States of
21 America all right, title, and interest in (a) any property constituting, or derived from, any
22 proceeds the persons obtained, directly or indirectly, as the result of the offense, and (b)
23 any property used, or intended to be used, in any manner or part, to commit, or to facilitate
24 the commission of such offense.

25 If any of the above-described forfeitable property, as a result of any act or omission
26 of the defendant:

27 (1) cannot be located upon the exercise of due diligence,

28 (2) has been transferred or sold to, or deposited with, a third party,

1 (3) has been placed beyond the jurisdiction of the court,
2 (4) has been substantially diminished in value, or
3 (5) has been commingled with other property which cannot be divided without
4 difficulty,
5 it is the intent of the United States to seek forfeiture of any other property of said defendant
6 up to the value of the above-described forfeitable property, pursuant to Title 21, United
7 States Code, Section 853(p).

8 All in accordance with Title 18, United States Code, Sections 924(d) and 981, Title
9 21, United States Code, Sections 853 and 881, Title 26, United States Code, Section 5872,
10 Title 28, United States Code, Section 2461(c), and Rule 32.2, Federal Rules of Criminal
11 Procedure.

12
13 A TRUE BILL

14
15 /s/
FOREPERSON OF THE GRAND JURY
Date: July 16, 2024

16 GARY M. RESTAINO
17 United States Attorney
District of Arizona

18
19 /s/
MARIA R. GUTIERREZ
20 Assistant U.S. Attorney
21
22
23
24
25
26
27
28